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OCT - 6 1994

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Ronald L. Wilson, Director
Health Assessment Policy Staff
Office of Health Affairs (HFY-20)
Food and Drug Administration
5600 Fisher's Lane, Room 11-44
Rockville, MD 20857

Re: Zerit

FDA Docket No. 94E-0332

Dear Mr. Wilson:

Transmitted herewith is a copy of the application for patent term extension of U.S. Patent No. 4,978,655 issued December 18, 1990. The application was filed on August 19, 1994, under Title II of Public Law 98-417, the Drug Price Competition and Patent Term Restoration Act of 1984.

The patent claims a product that was subject to regulatory review under the Federal Food, Drug and Cosmetic Act. Subject to final review, the subject patent is considered to be eligible for patent term restoration. Thus, a determination by your office on the applicable regulatory review period is necessary. Accordingly, notice and a copy of the application are provided pursuant to 35 USC § 156(d)(2)(A).

C. E. Van Horn

Charles E. Van Horn
Deputy Assistant Commissioner
for Patent Policy and Projects

cc: Dominic M. Mezzapelle
Associate General Counsel-Patents
Bristol-Myers Squibb Company
345 Park Avenue
New York, NY 10154